



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities

### List of issues in relation to the initial report of Sri Lanka\*

#### A. Purpose and general obligations (arts. 1–4)

1. Please provide information on:

(a) Measures to harmonize the State party's legislation and policies with the Convention, including the concept of disability used, and the measures to abolish derogatory terminology from legislation, such as the term "persons with difficulties", used by the Department of Census and Statistics;

(b) Steps taken to ensure close consultation with and the active involvement of persons with disabilities, including persons with intellectual and/or psychosocial disabilities, through their representative organizations, in legislative and policy decision-making processes, as well as in the implementation and monitoring of the Convention;

(c) The progress the State party is making to ratify the Optional Protocol to the Convention.

#### B. Specific rights (arts. 5–30)

##### Equality and non-discrimination (art. 5)

2. Please provide information on:

(a) Measures taken to prohibit all forms of disability-based discrimination in accordance with the Convention in national legislation, including the Constitution, and to include denial of reasonable accommodation as a form of disability-based discrimination;

(b) Disaggregated data on the number of complaints and/or allegations of discrimination on the basis of disability that were received, and on investigations conducted, on sanctions imposed, and on remedies provided to victims, particularly women and girls with disabilities, who are affected by multiple and intersectional discrimination.

##### Women with disabilities (art. 6)

3. Please inform the Committee on:

(a) Strategies and measures taken to mainstream the rights of women and girls with disabilities, and to ensure that all policies and programmes adhere to the Convention and take account of the Committee's general comment No. 3 (2016) on women and girls with disabilities;

(b) Measures taken by the State party to ensure the participation of women with disabilities in municipal, regional and national decision-making processes.

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\* Adopted by the pre-sessional working group at its nineteenth session (25 and 26 March 2024).



**Children with disabilities (art. 7)**

4. Please inform the Committee on:

(a) Measures taken to ensure that all children with disabilities have the right to express their views freely, in all matters affecting them, and that due importance is given to their views, in all settings, including family, foster care, educational, health and medical settings, and in judicial and administrative proceedings;

(b) Measures taken to ensure that the best interests of children with disabilities, and the need to respect their evolving age and maturity, are duly considered in mainstream policies.

5. Please provide an update on the number of reading centres that have been established for children with disabilities,<sup>1</sup> and the steps taken to ensure that the facilities and reading materials are accessible to all children with disabilities, irrespective of impairment.

**Awareness-raising (art. 8)**

6. Please provide information about the scope and impact of awareness-raising programmes and activities to combat negative stereotypes and prejudices against persons with disabilities and concerning the rights of persons with disabilities, and about how inclusive these campaigns are of persons with disabilities and their representative organizations, especially in rural communities.

7. Please provide information on the extent to which the media, particularly the electronic and print media, contribute to raising awareness about the rights and dignity of persons with disabilities.

**Accessibility (art. 9)**

8. Please provide information on:

(a) Mechanisms to monitor compliance with accessibility standards, on remedies provided and on the sanctions imposed for non-compliance. Please indicate whether an action plan on accessibility has been formulated;

(b) The number of public transport vehicles that have been modified to ensure accessibility, and whether there are accessible routes and adapted road signs and signals for persons with disabilities in rural and urban areas;

(c) The measures taken to include continuous training programmes on accessibility through universal design as part of the curricula for professionals, such as architects, designers, engineers and programmers.

**Right to life (art. 10)**

9. Please provide information on the measures taken to establish a monitoring and review mechanism to record and investigate cases of death or threat to the life of persons with disabilities who are still in institutions, and on the measures taken to prevent such occurrences and to prosecute the perpetrators.

**Situations of risk and humanitarian emergencies (art. 11)**

10. Please provide information on the extent to which persons with disabilities, through their representative organizations, participate in the design, implementation, evaluation and monitoring of disaster and risk reduction strategies and also policies to ensure the provision of equal, safe access and accessible evacuation measures and shelters.

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<sup>1</sup> CRPD/C/LKA/1, para. 203.

**Equal recognition before the law (art. 12)**

11. Please explain:

(a) Whether the Constitution of Sri Lanka and other national laws recognize the full legal capacity of persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities, and provide information on measures to establish supported decision-making schemes that respect the rights, will and preferences of persons with disabilities;

(b) Whether persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities and women with disabilities, have the right to maintain their physical and mental integrity, the right to fully participate as citizens, including with regard to owning or inheriting property, controlling their financial affairs, and enjoying equal access to bank loans, mortgages and other forms of financial credit and banking procedures, in both the public and the private sectors, and the right not to be arbitrarily deprived of their property.

**Access to justice (art. 13)**

12. Please provide information on:

(a) The progress made in ensuring access to justice for persons with disabilities, including physical accessibility, sign language interpretation, the provision of documents in Braille and Easy Read, and the implementation of other augmentative and alternative methods and modes of communication. Please also provide information on procedural accommodations and gender- and age-appropriate accommodations for persons with disabilities in administrative, civil and criminal proceedings;

(b) Measures in place to ensure that persons with disabilities, particularly children with disabilities and women with disabilities, have access to legal aid services on an equal basis with others.

**Liberty and security of the person (art. 14)**

13. Please provide information (number of persons, duration of deprivation of liberty, type of impairment, etc.) on persons with disabilities, particularly persons with intellectual and/or psychosocial disabilities, who have been deprived of their liberty on the basis of their actual or perceived impairment, as well as information on legislative, administrative and other measures taken to ensure that no one is institutionalized or deprived of liberty on the basis of his or her impairment.

**Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

14. Please provide information on mechanisms established to prevent, investigate and prosecute occurrences of torture or cruel, inhuman or degrading treatment or punishment of persons with disabilities, including medical or scientific experimentation without free and informed consent, as well as on measures to establish a legal complaints mechanism and to provide redress.

**Freedom from exploitation, violence and abuse (art. 16)**

15. Please provide updated information on:

(a) Measures to prevent the occurrence of all forms of exploitation, violence and abuse, including gender-based, domestic, and sexual violence, against persons with disabilities, in particular women and girls with disabilities;

(b) Measures to provide the necessary access to medical and psychological care and rehabilitation, to justice and compensation, to accessible shelters and to social reintegration services, for victims;

(c) Measures to ensure concrete safeguards under relevant laws and policies for the protection of children with disabilities from violence and abuse, and also provide an update on the status of the enactment of the provisions under the National Human Rights Action Plan 2017–2021,<sup>2</sup> including whether it is inclusive of children with disabilities;

(d) Measures to implement the existing legislation and policies to ensure the reporting, investigation and prosecution of exploitation, violence, including gender-based violence, and abuse, of persons with disabilities.

16. Please provide information and current statistical data on cases of exploitation, violence and abuse, including sexual abuse, against persons with disabilities, disaggregated by sex, age and place of residence. Please also provide information on measures taken to investigate cases of abduction of children with intellectual disabilities and to prosecute the perpetrators, as well as measures to prevent further abductions of persons with intellectual disabilities and to provide remedies to the victims.

#### **Protecting the integrity of the person (art. 17)**

17. Please provide information on:

(a) Legislative, judicial and administrative measures taken to prevent violations of the physical and mental integrity of persons with disabilities when they are discriminated against, imprisoned, or restricted to a given area, particularly persons with intellectual and/or psychosocial disabilities;

(b) Measures taken to ensure that the free and informed consent of persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities, is obtained prior to any form of medical, surgical or psychiatric treatment or procedure.

#### **Liberty of movement and nationality (art. 18)**

18. Please inform the Committee about measures taken to ensure that migrants, refugees and asylum-seekers with disabilities are provided with appropriate support and reasonable accommodation in immigration proceedings.

#### **Living independently and being included in the community (art. 19)**

19. Please provide information on the steps taken, including policies and programmes, to end segregated living environments for persons with disabilities, to promote their right to live independently and be included in the community, and to provide access to community-based services for persons with disabilities.

#### **Personal mobility (art. 20)**

20. Please provide information on the policies and measures in place to support persons with disabilities to have access to affordable mobility aids and assistive devices in the local market, particularly in rural areas, and on the measures taken to ensure that construction and other infrastructure planning in both urban and rural areas guarantees personal mobility; and on monitoring mechanisms in this regard.

#### **Freedom of expression and opinion, and access to information (art. 21)**

21. Please indicate:

(a) The specific actions in the National Human Rights Action Plan to increase communication and information accessibility for sign language users, and the progress achieved in this regard;

(b) The legislative measures adopted to ensure that public documents and information provided to the public by State media and private entities is also available to all persons with disabilities through appropriate modes, means and formats of communication,

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<sup>2</sup> CRPD/C/LKA/1, para. 85.

such as Braille, Easy Read, audio or tactile information, and augmentative and alternative communication;

(c) The measures in place to adopt the World Wide Web Consortium's Web Accessibility Initiative standards, in both public and private websites and applications, when developing or publishing content on the Internet.

#### **Respect for privacy (art. 22)**

22. Please provide information:

(a) On the enforcement and the impact of the Telecommunication Act (No. 27 of 1996) and the Computer Crimes Act (No. 24 of 2007), and other relevant legislation and policies, in safeguarding the privacy of persons with disabilities, including persons with intellectual disabilities, particularly in cases of data interception and unauthorized access;

(b) On measures taken to ensure the protection of the right to privacy of all persons with disabilities, including women, children, older persons, and persons with intellectual and/or psychosocial disabilities, in all areas of life.

#### **Respect for home and the family (art. 23)**

23. Please provide information on:

(a) Strategies in place to address and mitigate cultural and religious prejudices and stigmas that may discourage persons with disabilities from pursuing marriage and parenthood;

(b) Measures taken to provide appropriate and sufficient support to children with disabilities and their parents, as well as to parents with disabilities to exercise their parental rights and responsibilities;

(c) Strategies and programmes implemented to provide persons with disabilities, including those living in rural communities, with accessible and age-appropriate information and reproductive and family planning education, in accessible formats.

#### **Education (art. 24)**

24. Please provide updated information on:

(a) Progress made in transforming existing segregated education services into inclusive quality education at all levels, and indicate whether an inclusive education policy has been or will be adopted and the timeline for its adoption and implementation;

(b) Strategies and budget allocations to establish inclusive and accessible schools, to train teachers and personnel working in educational institutions on inclusive methodologies, and to provide accessible teaching materials, means and modes of communication and sufficient reasonable accommodation for students with disabilities, including students with visual or hearing impairments, at all levels;

(c) Measures taken to ensure that children with disabilities currently out of education are enrolled in school, and that they are treated with dignity and respect and are not denied admission to a school on account of their impairment;

(d) Resources allocated to early intervention programmes for children with disabilities.

#### **Health (art. 25)**

25. Please provide information on:

(a) The provision of universal health-care coverage for persons with disabilities, and on access to accessible public health education and health-care services, in particular community-based health services, including HIV/AIDS and sexual and reproductive health services, in both urban and rural areas;

(b) Measures taken to raise awareness of the human rights, dignity, autonomy and requirements of persons with disabilities, through the training and sensitization of health

personnel, and on the involvement of persons with disabilities through their representative organizations in those training initiatives.

#### **Habilitation and rehabilitation (art. 26)**

26. Please provide information on:

(a) Measures taken to promote comprehensive and community-based inclusive development rehabilitation programmes for persons with disabilities, particularly in rural and remote areas, including on the types of services provided;

(b) Activities that have been undertaken under the National Health Strategic Master Plan 2016–2025 (Rehabilitative Services) of the Ministry of Health, including whether it is in line with the human rights model of disability, and its outcome;

(c) Measures taken to ensure full rehabilitation and community reintegration of the large number of victims of anti-personnel mines.

#### **Work and employment (art. 27)**

27. Please provide information on:

(a) The impact and the results of the policy on inclusive vocational training for persons with disabilities<sup>3</sup> and of other specific national employment policy programmes;

(b) Measures to prohibit discrimination against persons with disabilities, particularly women with disabilities, during recruitment processes, including the provision of reasonable accommodation in work and employment, and to promote the employment of persons with disabilities in the open labour market;

(c) Steps taken, including affirmative action programmes, for the employment of persons with disabilities in the open labour market, including for persons with psychosocial or intellectual disabilities, and to provide training to employers on the rights of persons with disabilities and on reasonable accommodation.

#### **Adequate standard of living and social protection (art. 28)**

28. Please provide updated information on:

(a) Specific considerations given to persons with disabilities in housing projects undertaken by the Ministry of Housing, Construction and Cultural Affairs, as referred to in the State party's report;<sup>4</sup>

(b) Measures taken to ensure that persons with disabilities are included in general social protection and poverty reduction efforts and have access to specific programmes and services for persons with disabilities living in situations of poverty to enable them to meet the additional cost of disability-related expenses, and whether they contribute effectively to the planning, implementation and monitoring of such efforts.

#### **Participation in political and public life (art. 29)**

29. Please provide information on:

(a) Measures to increase the participation of women with disabilities in decision-making forums and leadership positions, particularly at the local and district levels;

(b) Awareness-raising and training programmes for electoral officials, political candidates and the public to promote the inclusion of persons with disabilities in political processes;

(c) The use of the disability ID card in election processes.

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<sup>3</sup> CRPD/C/LKA/1, para. 167.

<sup>4</sup> Ibid., para. 168.

**Participation in cultural life, recreation, leisure and sport (art. 30)**

30. Please provide information on:

(a) Measures taken to eliminate social and environmental barriers hindering the participation of persons with disabilities in cultural life and in recreational and sports activities;

(b) Specific programmes and initiatives on inclusive sports in schools aimed at promoting the participation of persons with disabilities in sports activities;

(c) The measures taken to implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled in national legislation and practice.

**C. Specific obligations (arts. 31–33)****Statistics and data collection (art. 31)**

31. Please provide information on:

(a) The efforts made to increase the systematic collection of and reporting on data, and the coordination between all public bodies and State agencies, to give effect to the Convention;

(b) Whether the Washington Group short set of questions on disability was included in the 2023 Census of Population and Housing and in the survey questionnaires of the Department of Census and Statistics,<sup>5</sup> and its impact on policy design;

(c) Whether the data collected are available to organizations of persons with disabilities in accessible media and formats, and whether such organizations have participated in the development of mechanisms for data collection and statistics.

**International cooperation (art. 32)**

32. Please provide information on:

(a) Measures to ensure that international development partners and national and local partners effectively consult and collaborate with persons with disabilities and their representative organizations to mainstream disability in development and poverty-reduction programmes;

(b) Measures taken to actively foster global partnerships and ensure that the process of implementation of the 2030 Agenda for Sustainable Development by the State party is inclusive of persons with disabilities.

**National implementation and monitoring (art. 33)**

33. Please provide information on:

(a) Whether the State party is planning to assign the functions of focal point to the National Council for Persons with Disabilities, and the legal basis for, as well as financial, human and technical resources allocated to, the National Council for Persons with Disabilities;

(b) Measures taken to ensure that the designated national monitoring mechanism has the financial and human resources necessary to fulfil its mandate to promote and protect the rights of persons with disabilities, and to monitor the implementation of the Convention at the national level, in both urban and rural areas, and on efforts made to accredit it with the Global Alliance of National Human Rights Institutions;

(c) Efforts made by the Ministry of Social Welfare and its directorates to ensure a coordinated implementation of the Convention;

<sup>5</sup> CRPD/C/LKA/1, para. 207.

(d) Mechanisms in place for consultations with stakeholders in government and civil society to ensure the active participation of persons with disabilities in decision-making processes.

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